

Prosper is a place where everyone matters.

MINUTES
Meeting of the Prosper Town Council
Prosper Independent School District
Central Administration Building
Board Room
605 East 7th Street, Prosper, TX 75078
Tuesday, October 28, 2014

1. Call to Order/Roll Call.

The meeting was called to order at 6:00 p.m.

Council Members Present:

Mayor Ray Smith
Mayor Pro-Tem Meigs Miller
Deputy Mayor Pro-Tem Kenneth Dugger
Councilmember Michael Korbuly
Councilmember Mike Davis
Councilmember Jason Dixon

Council Members Absent:

Councilmember Curry Vogelsang, Jr.

Staff Members Present:

Harlan Jefferson, Town Manager
Robyn Battle, Town Secretary
Terrence Welch, Town Attorney
Hulon T. Webb, Jr., Executive Director of Development and Community Services
John Webb, Director of Development Services
Alex Glushko, Senior Planner
Matt Richardson, Senior Engineer
Will Mitchell, Parks & Recreation Manager
Kent Austin, Finance Director
January Cook, Purchasing Agent
Doug Kowalski, Police Chief
Gary McHone, Assistant Police Chief

2. Invocation, Pledge of Allegiance and Pledge to the Texas Flag.

Councilmember Korbuly led the invocation. The Pledge of Allegiance and the Pledge to the Texas Flag were recited.

3. Announcements of upcoming events.

Councilmember Dixon made the following announcements:

Early voting for the November 4 General Election will be held in Municipal Chambers through October 31 for Collin County voters. On Election Day, Collin County voters may vote at the Prosper ISD Central Administration Building located at 605 E. 7th Street. Election information is available on the Town's website, or by contacting the Collin County or Denton County Election Offices.

The Prosper Police Department is kicking off their annual "Cops with a Claus" campaign to assist families in need during the holiday season by providing them with gift cards for grocery stores, department stores, and a variety of merchants. Tax-deductible donations of any amount may be dropped off at Prosper Town Hall, or the Prosper Police Dispatch Office through December 6. For more information, please contact Assistant Police Chief Gary McHone.

The Landscaping Project for the Preston Road Median has begun, and should be complete within about four months. Landscape contractors will add a combination of drought-resistant native plants, grass, shrubs, and trees to the median from Highway 380 north to FM 455 in Celina. Motorists should expect some lane closures during the landscape project, and should use caution when driving near work areas.

4. Proclamations.

- **Proclamation presented to members of the Prosper Police Department declaring October 23-31, 2014, as *Red Ribbon Week*.**

Mayor Smith presented the Proclamation to Police Chief Doug Kowalski, Assistant Police Chief Gary McHone, and Officer Rachel Fallwell of the Prosper ISD Police Department.

5. CONSENT AGENDA:

(Items placed on the Consent Agenda are considered routine in nature and non-controversial. The Consent Agenda can be acted upon in one motion. Items may be removed from the Consent Agenda by the request of Council Members or staff.)

- 5a. **Consider and act upon minutes from the following Town Council meeting. (RB)**
 - **Regular Meeting – October 14, 2014**
- 5b. **Receive the September 2014 Financial Report. (KA)**
- 5c. **Receive the Quarterly Investment Report for the quarter ending September 30, 2014. (KA)**
- 5d. **Consider and act upon Resolution No. 14-73 accepting and approving the 2014 tax roll. (KA)**
- 5e. **Consider and act upon approving a Priority Support Agreement between VP Imaging, Inc., dba DocuNav Solutions, and the Town of Prosper, Texas, related to the upgrade and maintenance of the Town's Laserfiche software; and authorizing the Town Manager to execute same. (RB)**
- 5f. **Consider and act upon approving Amendment Eight to the Interlocal Agreement between Collin County and the Town of Prosper, extending the agreement through FY 2014-2015, relating to Animal Control Services; and authorizing the Town Manager to execute same. (TE)**
- 5g. **Consider and act upon approving Amendment Eight to the Interlocal Agreement between Collin County and the Town of Prosper, establishing**

the service fee for FY 2014-2015 relating to Animal Sheltering Services; and authorizing the Town Manager to execute same. (TE)

Councilmember Dixon made a motion and Deputy Mayor Pro-Tem Dugger seconded the motion to approve all items on the Consent Agenda. The motion was approved by a vote of 6-0.

6. CITIZEN COMMENTS:

(The public is invited to address the Council on any topic. However, the Council is unable to discuss or take action on any topic not listed on this agenda. Please complete a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting.)

Other Comments by the Public -

Jack Dixon, 810 Long Valley Court, Prosper, thanked Mayor Smith and Library Director Leslie Scott for attending the Lakes of Prosper chili cook-off, and encouraged residents to attend the Prosper Historical Society Veterans Day event on November 6, 2014.

Irwin "Cap" Parry, 850 Kingsview Drive, Prosper, thanked the Council for the opportunity to voice his concerns, and encouraged the Council to appoint a committee of citizens to study the development of the downtown area.

REGULAR AGENDA:

(If you wish to address the Council during the regular agenda portion of the meeting, please fill out a "Public Meeting Appearance Card" and present it to the Town Secretary prior to the meeting. Citizens wishing to address the Council for items listed as public hearings will be recognized by the Mayor. Those wishing to speak on a non-public hearing related item will be recognized on a case-by-case basis, at the discretion of the Mayor and Town Council.)

7. Discussion of the Prosper Youth Sports Commission (PYSC) inaugural bylaws. (WM)

Will Mitchell, Parks and Recreation Manager, gave a brief overview of the PYSC bylaws, and then introduced Troy Brock, President of the PYSC. Mr. Brock explained that the bylaws were developed using model bylaws from other communities, and soliciting input from members of the local sports leagues and the Town Council. The proposed bylaws were further modified recently, and a red-line version of the most recent changes was provided to the Town Council. The Town Council discussed the process for equitably deciding field and facility use, the Town Council's role in the appeal process, the rule requiring 80% of players on each team to live within Prosper ISD boundaries, and financial reporting that would be required of each member league.

Councilmember Dixon left the meeting at 6:53 p.m.

Mr. Brock informed the Town Council that the PYSC would meet again on November 10, and he invited the Town Council to submit feedback on the proposed bylaws prior to that meeting.

8. Consider and act upon an amendment to the Capital Improvement Plan (CIP). (MR)

Senior Engineer Matt Richardson presented this item before the Town Council. The Seventh Street project (Coleman Street to PISD Admin) was approved for construction of drainage, water, sewer and paving improvements, and incidental engineering and easement acquisition. Bid proposals have been reviewed for the project, and Town staff is requesting an amendment to the CIP in the additional amount of \$196,345 for a total project cost of \$990,000.

After discussion, Deputy Mayor Pro-Tem Dugger made a motion and Councilmember Korbuly seconded the motion to approve an amendment to the Capital Improvement Plan (CIP), in the additional amount of \$196,345 for the Seventh Street (Coleman to PISD Admin) project. The motion was approved by a vote of 5-0.

9. Consider and act upon awarding Bid No. 2015-03-B to P.C. Contractors, LLC, related to construction services for the Prosper Road Improvements Project 2015: Seventh Street (Coleman Road to PISD Admin.) Pavement Replacement and Water Line Installation; and authorizing the Town Manager to execute a construction agreement for same. (MR)

Senior Engineer Matt Richardson presented this item before the Town Council. The contract will replace the existing asphalt pavement on Seventh Street and parts of Church Street with new concrete pavement, including incidental work on driveways and drainage culverts. An 8" water line along the south side of Seventh Street, and four additional fire hydrants will be installed, increasing the ability of the Fire Department to respond in that area. After reviewing thirteen bids, Town staff recommended that the Town Council award the bid to P.C. Contractors for a total project cost of \$990,000.

Councilmember Korbuly made a motion, and Councilmember Davis seconded the motion to award Bid No. 2015-03-B to P.C Contractors, LLC, related to construction services for the Prosper Road Improvement Project 2015 – Seventh Street – Coleman Road to PISD Pavement Replacement and Water Line Installation; and authorize the Town Manager to execute a construction agreement for the same. The motion was approved by a vote of 5-0.

10. EXECUTIVE SESSION:

Recess into Closed Session in compliance with Section 551.001 et seq. Texas Government Code, as authorized by the Texas Open Meetings Act, to deliberate regarding:

10a. *Section 551.087 – To discuss and consider economic development incentives.*

10b. *Section 551.072 – To discuss and consider purchase, exchange, lease or value of real property for municipal purposes and all matters incident and related thereto.*

- 10c. Section 551.071 – To discuss possible litigation regarding claims related to landscaping and irrigation projects, and all matters incident and related thereto.**
- 10d. Section 551.074 – To discuss appointments to the Planning & Zoning Commission, Parks & Recreation Board, Prosper Economic Development Corporation Board, Board of Adjustment/Construction Board of Appeals, and Library Board.**
- 10e. Section 551.071 - Consultation with Town Attorney regarding legal issues associated with proposed extraterritorial jurisdiction release, and all matters incident and related thereto.**

The Town Council recessed into Executive Session at 7:15 p.m.

Councilmember Dixon returned to the meeting and joined the Executive Session at 8:13 p.m.

11. Reconvene in Regular Session and take any action necessary as a result of the Closed Session.

The Town Council reconvened the Regular Session at 8:17 p.m. The following action was taken as a result of Executive Session:

Mayor Pro-Tem Miller made a motion and Deputy Mayor Pro-Tem Dugger seconded the motion to appoint John Alzner to Place No. 4 on the Planning and Zoning Commission, to replace Klaus Hillman who resigned from the position. The motion was approved by a vote of 6-0.

12. Possibly direct Town staff to schedule topic(s) for discussion at a future meeting.

- **Discuss the Town Council meeting schedule for the Thanksgiving and Christmas holidays.**

The Town Council directed Town staff to cancel the November 25, 2014, and the December 23, 2014, Town Council meetings due to the Thanksgiving and Christmas holidays.

- **Discuss the proposed agenda for the Town Council/Planning and Zoning Commission Joint Work Session.**

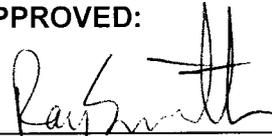
Town staff was provided with direction on the proposed agenda, which includes discussion of the Town's Comprehensive Plan.

13. Adjourn.

The meeting was adjourned at 8:28 p.m.

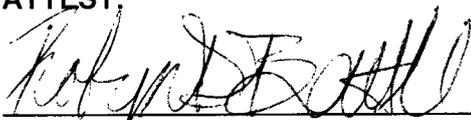
These minutes approved on the 11th day of November, 2014.

APPROVED:



Ray Smith, Mayor

ATTEST:



Robyn Battle, Town Secretary